

**ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In re:)	
)	
General Motors Company and Ultium Cells LLC)	Docket No. TSCA-HQ-2023-5008
)	
)	
)	
)	

FINAL ORDER


Pursuant to 40 C.F.R. § 22.18(b)-(c) of EPA’s Consolidated Rules of Practice, the attached Consent Agreement resolving this matter is incorporated by reference into this Final Order and is hereby ratified.

The Respondent is ORDERED to comply with all terms of the Consent Agreement, effective immediately.

So ordered.¹

ENVIRONMENTAL APPEALS BOARD

Dated: November 20, 2023



 Kathie A. Stein
 Environmental Appeals Judge

¹ The three-member panel ratifying this matter is composed of Environmental Appeals Judges Wendy L. Blake, Mary Kay Lynch, and Kathie A. Stein.

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In the Matter of:)	
)	
Ultium Cells LLC)	
Warren, OH)	
And)	
General Motors Company)	Docket No. TSCA-HQ-2023-5008
Detroit, MI)	
)	
Respondents)	
)	

CONSENT AGREEMENT

Complainant, United States Environmental Protection Agency (EPA or Agency), and Respondents, Ultium Cells LLC and General Motors Company and (Ultium Cells and GM) (collectively, the Parties), having consented to the entry of this Consent Agreement and proposed Final Order before the taking of any testimony and without adjudication of any issues of law or fact, consent to the terms of this Consent Agreement and attached Final Order.

I. PRELIMINARY STATEMENT

1. This civil administrative proceeding for the assessment of penalties pursuant to section 16(a) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2615(a), as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, Pub. L. No. 114-182, June 22, 2016, 130 Stat. 448, is being simultaneously commenced and concluded pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits (Consolidated Rules of Practice), 40 C.F.R. Part 22.
2. On or about February 14, 2023, Respondents voluntarily disclosed to EPA the potential that three manufactured (imported) chemical substances were not in compliance with TSCA requirements and sought EPA’s assistance in making a compliance determination under recent EPA guidance. Respondents have claimed the identity of the chemicals as confidential business information (CBI). These chemical substances are herein referred to as Chemicals A, B, and C. On March 28, 2023, Respondents submitted a pre-manufacture notice for Chemicals A, B, and C. Since that date, EPA has been working to complete the review as expeditiously as possible.
3. The disclosures described in Counts I, II and III have been determined by EPA to satisfy all of the conditions set forth in EPA’s policy entitled *Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations* (Audit Policy), 65 Fed. Reg. 19,618 (Apr. 11, 2000). All disclosures that fall within the Audit Policy qualify for a 100% reduction of the civil penalty’s gravity component. EPA reserves the right to collect any economic benefit that

may have been realized as a result of noncompliance, even where the entity meets all other Policy conditions.

4. Due to Ultium Cells' subsequent voluntary self-disclosure of potential noncompliance with TSCA, EPA has further determined that the allegations described in Count IV qualify for reductions applicable under the *TSCA Section 5 Enforcement Response Policy*, issued August 5, 1988, as amended June 8, 1989, and July 1, 1993 (TSCA ERP).
5. To avoid the disruption of orderly business activities and the expense of protracted and costly litigation, Respondents, for purposes of this proceeding only and as required by 40 C.F.R. § 22.18(b)(2):
 - a. admit the following jurisdictional allegations and waives any defenses to jurisdiction:
 - i. Respondents are corporations located at 300 Renaissance Center, Detroit, MI 48243 (General Motors) and 7400 Tod Ave SW, Warren, OH 44481 (Ultium Cells) and each is a "person" as defined in 40 C.F.R. § 720.3(x) and, as such, is subject to TSCA and its regulations: and
 - ii. Respondent General Motors manufactures (imports) and distributes in commerce, and Respondent Ultium Cells processes, uses, and distributes in commerce, Chemicals A, B, and C, or mixtures containing these chemicals, or in the past Respondent General Motors has manufactured (imported) and distributed in commerce, and Respondent Ultium Cells has processed, used, and distributed in commerce Chemicals A, B, and C, or mixtures containing these chemicals as those terms are defined in sections 3(2), (5), (9), (10), and (13) of TSCA, 15 U.S.C. § 2602(2), (5), (9), (10), and (13) respectively, and 40 C.F.R. § 720.3(e), (i), (q), (u), and (aa). Respondents are subject to TSCA, and the regulations promulgated thereunder.
 - b. neither admit nor deny the specific factual allegations contained herein;
 - c. consent to the assessment of a civil penalty on the terms discussed below;
 - d. consent to any conditions specified in this Consent Agreement;
 - e. waive any right to contest the alleged violations of law set forth herein; and
 - f. waive the rights to appeal the proposed Final Order accompanying this Consent Agreement.

II. EPA'S FINDINGS OF FACT AND LAW

COUNT I – TSCA § 5(a)(1) VIOLATIONS

6. Any chemical substance that is not included in the chemical substance list compiled and published under section 8(b) of TSCA, 15 U.S.C. § 2607(b) (TSCA Inventory) is a “new chemical substance” as defined under section 3(11) of TSCA, 15 U.S.C. § 2602 (11) and 40 C.F.R. § 720.3(v).
7. Section 5(a)(1) of TSCA, 15 U.S.C. §2604(a)(1), and 40 C.F.R. §§ 720.22(a)(1) and 720.40(b), provide that no person may manufacture (import) a new chemical substance unless such person submits a Premanufacture Notice (PMN) to EPA at least ninety (90) calendar days before manufacturing that substance.
8. On February 14, 2023, March 2, 2023, March 9, 2023, and March 20, 2023, Respondents voluntarily provided additional information for their self-disclosures, indicating to EPA that Respondent General Motors had manufactured (imported) Chemicals A, B, and/or C a number of times between November 2021 and March 3, 2023 (with relevant dates and quantities claimed as CBI).
9. Chemicals A, B, and C were not included on the TSCA Inventory at the time of import. Therefore, they are “new chemical substances” as defined under section 3(11) of TSCA, 15 U.S.C. § 2602(11), and 40 C.F.R. § 720.3(v).
10. Respondents’ failure to submit a PMN at least ninety (90) days before manufacturing (importing) Chemicals A, B, and/or C for non-exempt commercial purposes constitutes a failure to comply with section 5 of TSCA, 15 U.S.C. § 2604, which is a prohibited act under section 15(1) of TSCA, 15 U.S.C. § 2614(1), and may subject an entity to civil penalties pursuant section 16(a) of TSCA, 15 U.S.C. § 2615(a).

COUNT II – TSCA § 13(a)(1)(B) VIOLATIONS

11. Section 13(a)(1)(B) of TSCA, 15 U.S.C. § 2612(a)(1)(B), provides that the Treasury shall refuse entry of “any chemical substance or mixture offered for such entry if” it is offered for entry in violation of a rule or order under section 5, 15 U.S.C. § 2604. Pursuant to 40 C.F.R. § 707.20(b)(2)(i), importers must sign the following statement for each import of a chemical substance subject to TSCA: “I certify that all chemical substances in this shipment comply with all applicable rules or orders under TSCA and that I am not offering a chemical substance for entry in violation of TSCA or any applicable rule or order under TSCA.”
12. On February 14, 2023, March 2, 2023, March 9, 2023, March 20, 2023, Respondents voluntarily provided additional information for their self-disclosures, indicating to EPA that imports of

Chemicals A, B, and C occurred a number of times between November 2021 and March 3, 2023 (with relevant dates and quantities claimed CBI).

13. Failure to submit proper certifications under section 13 of TSCA prior to importing Chemicals A, B, and C constitutes a failure to comply with section 13 of TSCA, which is a prohibited act under section 15(3)(B) of TSCA, 15 U.S.C. § 2614(3)(B), and may subject an entity to civil penalties pursuant to section 16(a) of TSCA, 15 U.S.C. § 2615(a).

COUNT III – TSCA § 15(2) VIOLATIONS

14. Paragraphs 6 and 7 are incorporated and realleged herein.
15. TSCA section 15(2) states: “[i]t shall be unlawful for any person to— (2) use for commercial purposes a chemical substance or mixture which such person knew or had reason to know was manufactured, processed, or distributed in commerce in violation of section 2604.”
16. On or about February 14, 2023, March 2, 2023, March 9, 2023, March 20, 2023, Respondents voluntarily provided additional information for their self-disclosures, indicating to EPA that Respondent Ultium Cells processed and used existing stocks of the product containing Chemicals A, B, and C between May 2022 and March 28, 2023 (with dates and quantities claimed as CBI).
17. Respondent Ultium Cells’ processing and use of existing stocks of Chemicals A, B, and C from the date of discovery on January 24, 2023, to March 7, 2023, constitutes a violation of TSCA section 15(2), 15 U.S.C. § 2614(2)), which may subject an entity to civil penalties pursuant to section 16(a) of TSCA, 15 U.S.C. § 2615(a).

COUNT IV – TSCA § 15(2) VIOLATIONS

18. Paragraphs 14 and 15 are incorporated and realleged herein.
19. On or about March 7, 2023, and as later clarified, Respondents informed EPA that they continued to process and use Chemicals A, B, and C for at least 20 days after the March 28, 2023 date referenced in paragraph 16 (with dates and quantities claimed as CBI).
20. Continued processing and use of Chemicals A, B, and C during the time period referenced in paragraph 19 constitute violations of TSCA section 15(2), 15 U.S.C. § 2614(2)), which may subject an entity to civil penalties pursuant to section 16(a) of TSCA, 15 U.S.C. § 2615(a).

III. CIVIL PENALTY

21. EPA agrees, based upon the facts and information submitted by Respondents and upon Respondents' certification herein to the veracity of this information, that Respondents have satisfied all the conditions set forth in the Audit Policy for alleged violations described in Counts I, II, and III, and thereby qualifies for 100% reduction of the gravity component of the civil penalty for alleged violations that otherwise would apply to these alleged violations. Alleged violations listed in Count IV do not qualify for 100% gravity component reduction under the Audit Policy.
22. To avoid the disruption of orderly business activities and the expense of protracted and costly litigation, both Parties agree that the penalty for alleged violations described in Count IV is \$654,150. The penalty is consistent with the TSCA Section 5 Enforcement Response Policy (TSCA ERP) (amended July 1, 1993). The TSCA ERP was developed in accordance with the Guidelines for Assessment of Civil Penalties Under Section 16 of the Toxic Substances Control Act; PCB Penalty Policy, which sets forth a general penalty assessment policy for TSCA violations. 45 Fed. Reg. 59,770 (Sept. 10, 1980) (Penalty Policy). The TSCA ERP establishes a framework for applying the statutory factors to be considered in assessing a civil penalty, i.e.: "the nature, circumstances, extent and gravity of the violation or violations and, with respect to the violator, ability to pay, effect on ability to continue to do business, any history of prior such violations, the degree of culpability, and such other matters as justice may require." 15 U.S.C. § 2615(a)(2)(B).

The agreed upon civil penalty in this case reflects: (1) a determination of the gravity-based penalty (GBP) and (2) adjustments to the GBP, taking into account the statutory factors.

23. Not more than thirty (30) calendar days after the effective date of the Final Order, Respondent shall

Either:

24. Dispatch a cashier's or certified check in the amount of \$654,150 made payable to the order of the "Treasurer of the United States of America," and bearing the case docket number TSCA-HQ-2023-5008, to the following address:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
PO Box 979078
St. Louis, MO 63197-9000

Or

25. Effect a wire transfer in the amount of \$654,150 with the notation “**Ultium Cells LLC and General Motors Company**” Civil Penalty Docket No. TSCA-HQ-2023-5008,” by using the following instructions:

Federal Reserve Bank of New York
ABA = 021030004
Account = 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, NY 10045

[Field Tag 4200 of the Fedwire message should read “D 68010727 Environmental Protection Agency.”]

26. Respondents shall forward a copy of the check or documentation of a wire transfer to:

Tony R. Ellis, Case Development Officer
Waste and Chemical Enforcement Division (2249A)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW (WJCS Bldg. Room No. 2119C)
Washington, DC 20460
(202) 564-4167

Or as a PDF attachment in an email to: Ellis.Tony@epa.gov

27. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, unless otherwise prohibited by law, EPA will assess interest and late payment penalties on debts owed to the United States and a charge to cover the costs of processing and handling the delinquent claim. Interest on the civil penalty assessed in this CAFO will begin to accrue thirty (30) days after the effective date and will be recovered by EPA on any amount of the civil penalty that is not paid by the respective due date. In accordance with 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, Respondents must pay the following amounts on any amount overdue:

- a. Interest. Any unpaid portion of a civil penalty must bear interest at the rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717(a)(1). Interest will therefore begin to accrue on a civil penalty or stipulated penalty if it is not paid by the last date required. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a).
- b. Monthly Handling Charge. Respondents must pay a late payment handling charge of FIFTEEN dollars (\$15.00) on any late payment, with an additional charge of FIFTEEN dollars (\$15.00) for each subsequent thirty (30) day period over which an unpaid balance remains.
- c. Non-payment Penalty. On any portion of a civil penalty more than ninety (90) days past due, Respondents must pay a non-payment penalty charge of six percent (6%) per annum, which will accrue from the date the penalty payment became due and is not paid. 40 C.F.R. § 13.11(c). This non-payment penalty charge is in addition to charges which accrue or may accrue under subparagraphs (a) and (b).

IV. TERMS OF SETTLEMENT

28. Respondents' full compliance with this Consent Agreement shall only resolve Respondents' liability for federal civil penalties for the violations alleged in this Consent Agreement.
29. This settlement is conditioned upon the thoroughness and accuracy of Respondents' submissions to EPA in this matter.
30. As a condition of this Agreement, Respondents may import, process, use, and distribute Chemicals A, B, and C, while EPA and Respondents finalize a TSCA section 5(e) Consent Order for Chemicals A, B, and C, under the following conditions collectively under Paragraph 30 referred to as the Compliance Plan. The Compliance Plan shall remain in place following the effective date of the CAFO until the TSCA section 5(e) Consent Order for Chemicals A, B, and C is issued, unless terminated earlier pursuant to either of the following conditions: (1) EPA notifies Respondents of EPA's determination that Respondents cease import, processing, distribution in commerce, or use, at any time during the PMN review period based on EPA's finding that it may be necessary to prevent a potential unreasonable risk of injury to human health or the environment, or (2) Respondents withdraw their PMNs. The import, processing, use and distribution must be in accordance with the following as it applies to each Respondent's respective activities:
- a. Terms of Manufacturing (Importing)/Processing/Use of Chemicals A, B, and C
 - i. Respondents may import only
 - ii. For the Ultium facilities located in Warren, OH, Spring Hill, TN and Lansing, MI
 - iii. As a cathode active material for use in the manufacture of battery cells
 - iv. Respondents must process/use in an enclosed process
 - b. No Release to Water. Respondents are prohibited from any release of Chemicals A, B, and C, or any waste stream containing Chemicals A, B, and C into water.
 - i. If for any reason Respondents fail to comply with the release limitations applicable to Chemicals A, B, and C, the Company shall notify EPA, in writing, within 5 days of the release.
 - ii. The notification must include the location of the release, an explanation and description of the reasons for the release, the amount of the release or deviation, all actions taken or to be taken to prevent or minimize the release and future release, and a schedule for implementation of any measures to be taken to prevent or mitigate effects of the release and any future releases.
 - iii. Maintain records documenting establishment and implementation of procedures designed to ensure compliance with any applicable water discharge limit, discharge monitoring requirement, or other requirement related to the release to water of Chemicals A, B, and C. Records may include sampling and laboratory analyses of the discharge, and records related to discharges under the Federal Water Pollution Control Act (commonly known as the Clean Water Act (CWA)) or analogous State law, including location of

treatment facility, permit numbers issued under all federal environmental statutes, method of treatment, monitoring and release records (including Discharge Monitoring Reports pursuant to the CWA, and /or additional information in support to demonstrate compliance.

c. Respiratory Protection

- i. Respondents must ensure that each person subject to the potential for inhalation is provided with, and is required to wear, a National Institute for Occupational Safety and Health (NIOSH)-certified Combination Particulate respirator with an Assigned Protection Factor (APF) of at least 1000.
- ii. All respirators must be issued, used and maintained according to an appropriate respiratory protection program in accordance with OSHA and NIOSH respiratory protection requirements in 29 C.F.R. § 1910.134 and 42 C.F.R. part 84.
- iii. Records documenting establishment and implementation of respiratory protection. Records used to demonstrate compliance under 29 C.F.R. § 1910.1200(e) may be used to satisfy this record keeping obligation if such records fulfill the requirements of respiratory protection.

d. Dermal Personal Protective Equipment

- i. Respondents must ensure that each employee reasonably likely to be dermally exposed through direct handling or contact with equipment or surfaces containing or contaminated with Chemicals A, B, and C is provided with, and is required to wear, personal protective equipment (“PPE”) (i.e., gloves and body suits) that provides a barrier to prevent dermal exposure.
- ii. PPE must be selected and used in accordance with the Occupational Safety and Health Administration (OSHA)’s requirements at 29 C.F.R. §§ 1910.132, 1910.133, and 1910.138.
- iii. Gloves must be replaced at the end of each work shift during which they are exposed to Chemicals A, B, and C. If permeation testing was used to establish impermeability, gloves may not be used for longer than for which they were tested.
- iv. Demonstration of Imperviousness. Respondents must demonstrate that the PPE selected provides an impervious barrier to prevent dermal exposure during expected duration and conditions of exposure. Respondents may make this demonstration by any one or a combination of the following:
 1. Permeation Testing. PPE must be tested alone and in combination with other chemical substances in the work area under the expected conditions of exposure. Permeation testing should be conducted according to the American Society for Testing and Materials (ASTM) F739 “Standard Test Method for Permeation of Liquids and Gases through Protective Clothing Materials under Conditions of Continuous Contact.” Results must be reported as the cumulative permeation rate

as a function of time and documented in accordance with ASTM F739 using the format specified in ASTM F1194-99 (2010) "Standard Guide for Documenting the Results of Chemical Permeation Testing of Materials Used in Protective Clothing Materials."

2. Manufacturer Specifications. Manufacturer specifications may be used to establish that the PPE is impervious to Chemicals A, B, and C alone and in combination with other chemical substances in the work area under the expected conditions of exposure.

v. Maintain records documenting the determinations that chemical protective clothing is impervious to Chemicals A, B, and C.

e. Hazard Communication

- i. Respondents must establish and implement a hazard communication program consistent with the requirements in 29 C.F.R § 1910.1200 prior to manufacturing, processing, using and/or distributing Chemicals A, B, and C.
- ii. The following health and environmental hazard and precautionary statements must be included as part of the hazard communication program, appear on each label, and Safety Data Sheets (SDS), if applicable.
 - 1. Carcinogenicity
 - 2. Specific Target Organ Toxicity: lungs, kidneys, and spleen
- iii. Respondents must maintain records documenting the establishment and implementation of a hazard communication program, including copies of labels and safety data sheets.

f. Disposal

- i. Waste streams containing Chemicals A, B, and C must be disposed of by landfill or recycled, reused, or reclaimed and treated in accordance with any applicable federal regulatory requirements for maintaining solid waste under the Resource Conservation and Recovery Act, or any analogous State law.
- ii. Respondents must maintain records documenting compliance with the applicable disposal requirements including method of disposal, location of disposal sites, dates of disposal and volume of Chemicals A, B, and/or C. If the estimated disposal volume is not known or reasonable ascertainable by Respondents, records must be maintained that demonstrate establishment and implementation of a program. That ensures compliance with any applicable disposal requirement(s).
- iii. Respondents shall not release to water, as directed in Subpart (b) of this Paragraph.

31. Each Respondent shall maintain records documenting its compliance with its duties under Paragraph 30 for 5 years after the date they are created and must produce them for inspection, copying or as otherwise required under Section 11 of TSCA, 15 U.S.C. § 2610.

32. Respondents shall submit a monthly status report on the dates and quantities of imports arriving in the United States for non-exempt commercial purposes after May 7, 2023 for Chemicals A, B, and C for each month, a certification statement that the conditions described in paragraph 30 are being met, and any corrective measures that are determined to be taken via EPA's Central Data Exchange on the fifth business day of each month until EPA finalizes the TSCA section 5(e) Consent Orders for Chemicals A, B, and C, and Respondents submit Notice of Commencement pursuant to 40 CFR Section 720.102.
33. As set forth in this paragraph and Paragraph 34 below, Respondents shall pay certain penalties negotiated and agreed to by EPA and Respondents for imports of Chemicals A, B, and C arriving in the United States for non-exempt commercial purposes on or after May 7, 2023 and before EPA finalizes the TSCA section 5(e) Consent Orders for Chemicals A, B, and C, and Respondents submit Notice of Commencement pursuant to 40 CFR Section 720.102. Those importations, including those included in Respondents' monthly status reports to EPA, shall be assessed a \$43,610 penalty as a one-day violation for each day of import that occurs containing Chemicals A, B, and/or C.
34. Subsequent to the last monthly status report described in paragraph 32, EPA shall make a written demand for civil penalties for the importations. Respondents shall pay civil penalties as described in paragraph 33 above, owing to the United States, not more than thirty (30) calendar days after receipt of the written demand from EPA. Payment of the penalty amount shall be made in accordance with the directions described in paragraphs 24-26 above.
35. Nothing in this Consent Agreement or the Final Order is intended to, nor shall be construed to, operate in any way to resolve any criminal liability of Respondents.
36. By executing this Consent Agreement, each Respondent certifies that, to the best of its knowledge regarding the violations alleged herein, and as conditioned in Paragraph 30, Respondents are in compliance with TSCA sections 5,13, and 15, 15 U.S.C. §§ 2604, 2612 and 2614.

V. OTHER MATTERS

37. Subject to the terms and conditions herein, this Consent Agreement shall be binding upon the Parties, and their respective officers, directors, employees, successors, and assigns. The undersigned representative of each Party certifies that he or she is duly authorized by his or her respective Party to sign this Consent Agreement.
38. This Consent Agreement shall take full effect upon signing and filing of the Final Order by EPA's Environmental Appeals Board.

39. Respondents' obligations under this Consent Agreement shall end when it has paid in full the scheduled civil penalty, paid any stipulated penalties, and submitted documentation required by the Consent Agreement and Final Order.
40. All the terms and conditions of this Consent Agreement together comprise one settlement agreement, and each of the terms and conditions is in consideration for all the other terms and conditions. This Consent Agreement shall be null and void if any term or condition of this Consent Agreement is held invalid or is not executed by all the signatory parties in identical form or is not approved in such identical form by the EPA Environmental Appeals Board.
41. The penalty, including any stipulated penalties specified above, represents civil penalties assessed by EPA, and shall not be deductible for purposes of federal taxes.
42. Respondents' failure to remit the civil penalties provided herein will result in this matter being forwarded to the United States Department of Justice for collection.
43. The Parties agree to bear their own costs and attorney's fees.

WE AGREE TO THIS:



Thomas Gallagher III
Chief Operating Officer, Ultium Cells LLC
7400 Tod Ave SW
Warren, OH 44481

Date: 8/11/2023



Kristen Siemen
Vice President, Sustainable
Workplaces & Chief Sustainability Officer
General Motors Company
Cole Engineering Center Tower
29755 Louis Chevrolet Road
Warren, MI 48093

Date: 08/14/2023

WE AGREE TO THIS:

GREGORY
SULLIVAN

Digitally signed by
GREGORY SULLIVAN
Date: 2023.10.12
11:04:48 -04'00'

Gregory Sullivan, Director
Waste and Chemical Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance Assurance
United States Environmental Protection Agency

Catherine Lee

Catherine Lee, Attorney
Waste and Chemical Enforcement Division
Office of Civil Enforcement
Office of Enforcement and Compliance
Assurance
United States Environmental Protection Agency

Date: _____

Date: 8/15/2023

CERTIFICATE OF SERVICE

I certify that copies of the foregoing “Consent Agreement” and “Final Order,” in the matter of General Motors Company and Ultium Cells LLC, Docket No. TSCA-HQ-2023-5008, were sent to the following persons in the manner indicated:

By Email:

Cynthia AM Stroman, Partner
King & Spalding LLP, Counsels for GM and Ultium Cells
1700 Pennsylvania Avenue, NW
Suite 900
Washington, DC 20006
Email: CStroman@KSLAW.com
Direct Dial: (202) 626-2381

Catherine Lee, Attorney
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Direct Dial: (202) 564-3172

Type text h

Dated: Nov 20, 2023

Annette Duncan

Annette Duncan
Administrative Specialist